

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
ANTONIO DIEGO BRUGNOLI-  
BASKIN,  
  
Defendant.

NO. CR22-0189-JHC

**PRELIMINARY ORDER OF  
FORFEITURE**

THIS MATTER comes before the Court on the United States' Motion for Preliminary Order of Forfeiture ("Motion"), Dkt. # 78, seeking to forfeit, to the United States, Defendant Antonio Diego Brugnoli-Baskin's interest in the following property (the "Subject Property"), which were seized from Defendant's person and home in Seattle, King County, Washington, on or about September 8, 2022:

1. One Apple iPhone 13 (serial number 8901260994741875132); and
2. One Apple iPhone 4 (serial number C8QG1WDPNG).

The Court, having reviewed the United States' Motion, as well as the other papers and pleadings filed in this matter, hereby FINDS entry of a Preliminary Order of Forfeiture is appropriate for the following reasons:

- 1       •     The Subject Property is forfeitable pursuant to 18 U.S.C. § 2253(a), as it  
2             was used to commit or facilitate Defendant's commission of Possession of  
3             Child Pornography, in violation of 18 U.S.C. §§ 2252(a)(4)(B) and (b)(2).  
4             Dkt. No. 74, ¶13.
- 5       •     Pursuant to the Plea Agreement he entered on March 20, 2025, Defendant  
6             agreed to forfeit his interest in the Subject Property pursuant to  
7             18 U.S.C. § 2253(a). Dkt. No. 74, ¶ 13.

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9       NOW, THEREFORE, THE COURT ORDERS:

10       1)     Pursuant to 18 U.S.C. § 2253(a) and his Plea Agreement, Defendant's  
11     interest in the Subject Property is fully and finally forfeited, in its entirety, to the United  
12     States;

13       2)     Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A)-(B), this Preliminary Order will  
14     be final as to Defendant at the time he is sentenced, it will be made part of the sentence,  
15     and it will be included in the judgment;

16       3)     The United States Department of Justice, the Federal Bureau of  
17     Investigation (FBI), and/or its authorized agents or representatives shall maintain the  
18     above-identified property in its custody and control until further order of this Court. FBI  
19     shall destroy any prohibited images unless they have been destroyed already or will be  
20     retained for official, investigative use, as permitted by 21 U.S.C §§ 853(i) and 881(e);

21       4)     Pursuant to Fed. R. Crim. P. 32.2(b)(6) and 21 U.S.C. § 853(n), the  
22     United States shall publish notice of this Preliminary Order and its intent to dispose of the  
23     property as permitted by governing law. The notice shall be posted on an official  
24     government website – currently [www.forfeiture.gov](http://www.forfeiture.gov) – for at least thirty (30) days. For  
25     any person known to have alleged an interest in the property, the United States shall, to  
26     the extent possible, provide direct written notice to that person. The notice shall state that  
27     any person, other than the Defendant, who has or claims a legal interest in the property

1 must file a petition with the Court within sixty (60) days of the first day of publication of  
2 the notice (which is thirty (30) days from the last day of publication), or within thirty (30)  
3 days of receipt of direct written notice, whichever is earlier. The notice shall advise all  
4 interested persons that the petition:

- 5 a. shall be for a hearing to adjudicate the validity of the petitioner's alleged  
6 interest in the property;
- 7 b. shall be signed by the petitioner under penalty of perjury; and,
- 8 c. shall set forth the nature and extent of the petitioner's right, title, or interest  
9 in the property, as well as any facts supporting the petitioner's claim and  
10 the specific relief sought.

11 5) If no third-party petition is filed within the allowable time period, the  
12 United States shall have clear title to the property, and this Preliminary Order shall  
13 become the Final Order of Forfeiture as provided by Fed. R. Crim. P. 32.2(c)(2);


14 6) If a third-party petition is filed, upon a showing that discovery is necessary  
15 to resolve factual issues it presents, discovery may be conducted in accordance with the  
16 Federal Rules of Civil Procedure before any hearing on the petition is held. Following  
17 adjudication of any third-party petitions, the Court will enter a Final Order of Forfeiture,  
18 pursuant to Fed. R. Crim. P. 32.2(c)(2) and 21 U.S.C. § 853(n), reflecting that  
19 adjudication; and,

20 7) The Court will retain jurisdiction for the purpose of enforcing this  
21 Preliminary Order, adjudicating any third-party petitions, entering a Final Order of  
22 Forfeiture, and amending the Preliminary Order or Final Order as necessary pursuant to  
23 Fed. R. Crim. P. 32.2(e).

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2 IT IS SO ORDERED.

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4 DATED this 21st day of April, 2025.

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8 JOHN H. CHUN  
9 UNITED STATES DISTRICT JUDGE  
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